



Effective on 12/08/2004.  
Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

**FEE TRANSMITTAL**  
**For FY 2005**

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT

(\$)

620.00

Complete if Known

Application Number

09/966,803

Filing Date

September 27, 2001

First Named Inventor

Jay SHORT

Examiner Name

D. Ramirez

Art Unit

1652

Attorney Docket No.

564462000420

METHOD OF PAYMENT (check all that apply)

☐ Check

☐ Credit Card

☐ Money Order

☐ None

☐ Other (please identify):

☒ Deposit Account

Deposit Account Number: 03-1952

Deposit Account Name: Morrison & Foerster LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below

☐ Charge fee(s) indicated below, except for the filing fee

☒ Charge any additional fee(s) or any underpayment of fee(s) under 37 CFR 1.16 and 1.17

☒ Credit any overpayments

FEE CALCULATION

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 or, for Reissues, each claim over 20 and more than in the original patent	50	25
Each independent claim over 3 or, for Reissues, each independent claim more than in the original patent	200	100
Multiple dependent claims	360	180

Total Claims = Extra Claims x Fee (\$) = Fee Paid (\$)

Multiple Dependent Claims

Fee (\$) Fee Paid (\$)

Indep. Claims = Extra Claims x Fee (\$) = Fee Paid (\$)

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
- 100 =	/50	(round up to a whole number) x	=	

4. OTHER FEE(S)

	Fees Paid (\$)
Non-English Specification, \$130 fee (no small entity discount)	
Other: 2252 Extension for response within second month	225.00
2801 Request for continued examination (RCE) (see 37 CFR 1.114)	395.00

SUBMITTED BY

Signature

Registration No. (Attorney/Agent)

38,440

Telephone

(858) 720-5133

Name (Print/Type)

Gregory P. Einhorn

Date

January 25, 2005



IPW RCE  
1652

PTO/SB/30 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>Request For Continued Examination (RCE) Transmittal</b>  Address to: MS RCE Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	Application Number	09/966,803
	Filing Date	September 27, 2001
	First Named Inventor	Jay SHORT
	Art Unit	1652
	Examiner Name	D. Ramirez
	Attorney Docket Number	564462000420

**This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.**

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application.

1. ☐ Submission required under 37 CFR 1.114 Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_

ii. ☐ Other \_\_\_\_\_

b. ☒ Enclosed

i. ☒ Amendment/Reply (32 pages)

ii. ☐ Affidavit(s)/Declaration(s)

iii. ☐ Information Disclosure Statement (IDS)

iv. ☒ Other Fee Transmittal (1 page + duplicate);  
Petition for 2 Month Extension of Time  
(1 page); Rule 132 Declaration (3  
pages); Return Receipt Postcard

2. ☐ Miscellaneous

a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)

b. ☐ Other \_\_\_\_\_

3. ☐ Fees The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to  
Deposit Account No. 03-1952 I have enclosed a duplicate copy of this sheet. Fee  
Transmittal form (PTO/SB/17) is attached to this  
submission in duplicate.

i. ☒ RCE fee required under 37 CFR 1.17(e)

ii. ☒ Extension of time fee (37 CFR 1.136 and 1.17)

iii. ☐ Other \_\_\_\_\_

b. ☐ Check in the amount of \$ \_\_\_\_\_ enclosed

c. ☐ Payment by credit card (Form PTO-2038 enclosed)

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED			
Signature		Date	January 25, 2005
Name (Print/Type)	Gregory P. Einhorn	Registration No.	38,440

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: MS RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: January 25, 2005

Signature: (Norman Green)

sd-240947

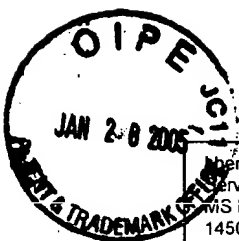
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I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: MS RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: January 25, 2005

Signature: Norman Green

(Norman Green)

Docket No.: 564462000420 /  
005009 / D1130-8US  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Jay SHORT et al.

Application No.: 09/966,803

Confirmation No.: 3294

Filed: September 27, 2001

Art Unit: 1652

For: METHODS OF GENERATING VARIANTS OF  
AMIDASE ENCODING NUCLEIC ACIDS  
(AMENDED)

Examiner: Delia M. Ramirez, Ph.D.

**RCE RESPONSE AND AMENDMENT**

MS RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

**INTRODUCTORY COMMENTS**

Responsive to the final Office Action mailed May 14, 2004, Applicants respectfully request entry of the amendments and consideration of the remarks set forth herein. A Notice of Appeal was filed October 14, 2004; thus, the response was initially due December 14, 2004. Applicants herein submit a petition for a two month extension of time to February 14, 2005, under 37 C.F.R. §1.136, with the appropriate fee under 37 C.F.R. §1.17. Accordingly, this Response is timely filed.

This response is accompanied by a request for continued examination (RCE) under 37 C.F.R. §1.114. Thus, the finality of the outstanding final office action will be

withdrawn and Applicants are entitled to have this first submission for this RCE entered and considered on the merits.

Amendments to the specification begin on page 3 of this paper.

Amendments to the claims are reflected in the listing of claims which begin on page 8 of this paper.

Remarks begin on page 14 of this paper.

The following documents are also enclosed herewith:

- Transmittal letter;
- Fee Transmittal;
- Petition for 2 Month Extension of Time;
- Request for Continued Examination (RCE);
- Rule 132 declaration by Dr. Jay Short; and
- Return Receipt Postcard.